

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
ex rel. MARY HENDOW and JULIE  
ALBERTSON

Plaintiffs,

v.

UNIVERSITY OF PHOENIX,

Defendant.

2:03-cv-0457-GEB-DAD

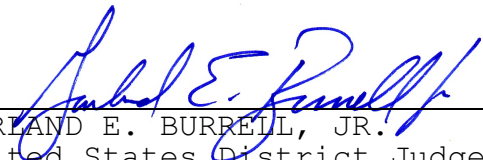
ORDER

Defendant seeks reconsideration of Magistrate Judge Dale A. Drozd's Order filed October 9, 2008, in which Defendant's motion to compel Plaintiffs to produce their communications with the Department of Education concerning a Program Review Report was denied. Oral argument was scheduled to commence on the reconsideration request at 9:00 a.m. on November 24, 2008, but Defendant failed to appear at the scheduled hearing. Therefore, the matter was submitted.

Magistrate Judge Drozd's findings that the communications at issue are protected from discovery by the work product doctrine, and that Defendant has not shown a substantial need for the documents were

1 not clearly erroneous or contrary to law. Therefore Defendant's  
2 request for reconsideration is denied.

3 Dated: November 24, 2008

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6 GARLAND E. BURRELL, JR.  
7 United States District Judge  
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